Persons with disabilities in Tunisia
Legal standing and public perception

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**Interview participants**

1. Hamida Ben Salah, former director of l’Agence France Presse (AFP)
2. Imed Abdeljaoued, director of Association Générale des Insuffisants Moteurs (AGIM)
3. Jamila Knani, speech therapist
4. Mohamed Ben Zarq, director of El Imtiez
5. Officials from the Ministry of Social Affairs
6. Mongi Godhbane, advisor to the Minister of Education
7. Dorsaf Kouki, activist and teacher at the American School of Tunis
8. Zoubeïr Mouhli, director of Association de la Sauvegarde de la Médina (ASM)

**Centres visited**

1. El Imtiez
2. L’Union Tunisienne d’Aide aux Insuffisants Mentaux (UTAIM)
3. Centre El Walid (Association des Parents et Amis des Handicapés de Tunisie, APAHT)
4. Ferme Thérapeutique pour Handicapés

Note: Additional participants include anonymous individuals selected at random for street interviews.

**Introduction**

Tunisia, two years after the revolution, is faced with the monumental task of building a democratic government and stable economy. The scale of these challenges often overshadows social problems of minorities whose situations have largely remained unchanged. One group that is especially overlooked is the disabled—persons with disabilities are still largely segregated from society, and do not enjoy the same rights as ordinary citizens. The Tunisian government signed the UN Convention on the Rights of Persons with Disabilities in 2007, yet there seems to be a serious disconnect between legal policies and common practices.
The aim of this research project has been to investigate the scope of this inconsistency as well as to determine its relationship to public perception on disabilities. In order to better understand both aspects of the question, we divided this research into two sections: legal standing and public perception. In the first, we examined the theoretical, legal status of the disabled. We obtained our information not only by consulting legal documents and state reports, but also by talking to officials of the Tunisian Ministry of Social Affairs. In the second section, we attempted to understand society’s attitudes toward disabilities, with the ultimate goal of uncovering the connection between the two. To this end, we visited centres specialised in education and care of persons with disabilities, spoke to experts in the field and parents of disabled children, and conducted street interviews in different areas of Tunis. Because this issue is often neglected in Tunisian political discourse, and so there is little information publically available, we adopted a holistic approach: we chose to pose many questions about a range of subjects, in the hope that the most pressing issues would become clear.

Our findings indicate that there is indeed a serious discrepancy between legislation in place and its enforcement in practice. Interestingly, however, there is no consensus on the causes and required solutions to this inconsistency. Although public perception does play a crucial role, the real issue seems to be the question of accountability: should the government be tasked with enforcing the rights of persons with disabilities, or does the responsibility lie in civil society?

**A strong foundation: key legislation**

Contrary to popular belief, Tunisia’s legislation is remarkably advanced concerning rights of the disabled. Unlike most western nations, the most recent version of the Tunisian constitution includes an article stipulating that “tout citoyen handicapé a le droit de bénéficier … de toutes les mesures qui lui garantissent une pleine intégration dans la société” (unofficial translation from Arabic, Article 48 of the Tunisian Constitution, 2014).

In response to a campaign led by experts, doctors and parents of the disabled, the Tunisian government signed an extensive set of laws outlining regulations and rights of handicapped persons in 2005 (Imed Abdeljaoued). One such law requires all Tunisian
establishments employing more than 100 individuals to ensure that one percent of their workforce is made up of disabled persons (Article 2 of decree number 2005-3087, 29 November 2005). These institutions are given tax incentives depending on the type and severity of their employees’ handicaps, with the enforcement of these quotas designated to the “inspecteur du travail” (Articles 9 and 12, Ibid). In keeping with the recommendations outlined in the UN Convention on the Rights of Persons with Disabilities, Tunisian law requires all buildings, establishments and installations to allow full accessibility to those with motor and/or sensory handicaps (Article 3 of decree number 2006-1467, 30 May 2006).

With regards to funding, in the past the Ministry of Social Affairs funded centres, specialised education and vocational training with a fixed sum of €400 per enrolled child per year. They have since updated their policy, and since 2013 the Ministry pays directly the salaries of employees working in specialised centres, as well as a sum for “the direction and running of centres” based on their individual needs (Ministry of Social Affairs). They have adopted a five-year plan that expands funding each year, especially regarding specialised education and the recruitment of specialised staff (Ibid).

Unfortunately, there is a large discrepancy between the legal means in place and the social reality of the situation. Despite those measures outlined in legislation, quotas are not enforced and regulations are largely ignored. Imed Abdeljaoued from AGIM, the biggest association for persons with a motor handicap, argued that Tunisian society plays a major role in determining the realities of handicapped people’s situation, explaining that the application of laws and the mental plane are in the most urgent need of improvement. He maintained that the Tunisian people need to accept their differences, saying, “it is not wheel chairs they need, it’s adaptation.”

**Pre-revolution “showcases”**

The old regime in Tunisia, and especially the former president’s wife Layla Ben Ali, presented themselves as “the Arab government for the disabled” (Dorsaf Kouki). In an attempt to be at the forefront of the field, Mrs. Ben Ali established The Basma Association for the Promotion of Employment of the Disabled in March 2000. The Basma Association
sought to supplement the state’s efforts of integration of the disabled, particularly by contributing to their training and employment, offering them assistance in finding jobs in both public and private sectors and allowing them to participate in various trade fairs and events. The Association was characterised by high quality facilities and its activities were well documented and praised by the media.

However, specialists working with disabled people are more critical. Despite its access to many state resources, the Basma Association only established a handful of exclusive centres in the capital, which served a select few while dozens of children were left on the waiting list. In addition, the Association faced several allegations of corruptions from activists defending the rights of persons with disabilities. For example, it was suspected that children benefitting from the centres’ services obtained a place through family connections or by paying large sums of money, even though they are supposed to be offered for free. This led Dorsaf Kouki to describe the Basma Association as “possessing beautiful buildings but nothing more”, while Hamida Ben Salah called the centres “mere showcases.”

When the regime fell, so did the official support system that had been in place. Most of the centres were abandoned and its equipment stolen. The years of positive media coverage of the Basma Association now proved problematic: a strong civil society defending the rights of persons with disabilities did not instantly emerge to fill the void, because the media had crafted “a comfortable image” of disabled people, creating the idea that there was no urgent need to talk about and improve their situation (Imed Abdeljaoued). Additionally, those individuals and organisations who previously worked closely to the regime’s Basma Association lost credibility after the fall of the regime, even if they had been trying to use the regime’s resources to advance their cause (Hamida Ben Salah). In short, the Basma Association produced few concrete results while it actively operated, and indirectly contributed to the lack of a strong civil society emerging in the direct aftermath of the revolution.

The present-day role of civil society
In order to have a better understanding of the services and organisations available to persons with disabilities, we visited a range of centres that cater to the disabled and spoke to teachers, administrators and directors. El Imtiez is the oldest centre in Tunis, which specializes in education for deaf children aged 3-15 who have recently received hearing aids. They focus on pre-school education and integration into standard schools, as well as vocational training for those who cannot be integrated. Le Centre pour les Handicaps Mentaux has students ranging from 6 to 30 years old, usually with rather severe mental disabilities. Their focus is on giving their students autonomy, and they provide several workshops on activities such as ceramics, sewing and woodworking in hopes that this will lead to employment. Centre El Walid, run by L’Association des Parents et Amis des Handicapés Tunisiens (APAHT), has 197 students with medium to severe handicaps. Unlike the other centres, which are public and funded by the government, El Walid is funded almost entirely by the parents of their students, who have to pay a fee to enter the school. La Ferme Thérapeutique pour Handicapés uses a hands-on approach to achieve professional and social integration, rather than integration in schools. They have 90 students, most with mental handicaps, and are funded by donors and parents in addition to the subsidies given by the Ministry of Social Affairs.

Tunisia has a two-track system of education: one run by the Ministry of Education, which provides mainstream schooling, and one run by the Ministry of Social Affairs, which covers children with mild intellectual disabilities who participate in the special education system. Upon further investigation, we found that the Ministry of Social Affairs does not directly provide special education, but rather funds NGOs and associations who act as service providers. Each centre has a different focus, but they often share similar methods and ideologies.

One important distinction that each centre emphasized is the difference between real and mental age. Students often have a gap of several years between their intellectual capacity and their real age, making their placement in classes difficult. Teachers try to achieve a balance between maintaining a uniform ability level in each class, and avoiding placing students in age groups too far from their real age.
The director of Le Centre El Walid stressed the importance of regular meetings with parents to ensure mutual understanding, saying “we have to speak the same language.” They use activities such as singing, pottery, painting and theatre to engage the children, and supplement these workshops with individual sessions with specialists who tailor their care to the child’s personal needs. Teachers also take students into the city in groups of two and three for the purpose of allowing the children to become more comfortable in social settings, as well as to sensitise society. (Note: throughout this report, the word ‘sensitise’ is used as in the French definition of sensibiliser.)

The therapeutic farm uses more unconventional means of education, working under the belief that being in a natural, open environment allows disabled children to develop “their manual skills, thus making them more autonomous and preparing them for professional integration in the agricultural sector” (brochure). Children at this farm help to grow various plants and produce various agricultural products such as olive oil, bread and jams that are sold to the wider population. They play with and take care of small animals such as rabbits and hamsters that are specially trained to be handled by disabled children. One of the most successful activities is horseback riding, which allows children who often have limited mobility to experience more freedom. There are also several goats, cows and sheep on the farm, and the children are taught to produce cheese, yoghurt and milk. By selling the products the children help to make, the farm is able to sensitise the wider community while becoming more self-sufficient.

Major challenges

Specialised education

The specialised education provided by centres such as those mentioned above is unfortunately flawed in several aspects. Firstly, their reach remains rather limited. The average number of students per centre rarely exceeds 100, and the vast majority live in the capital. There is a disproportionately smaller amount of centres in rural areas, where there is a high demand for schooling. Even in the capital, centres struggle to maintain attendance, as many students live far away and the government only provides one school bus per
Secondly, centres face serious staffing problems, both in quantitative and qualitative terms. According to Jamila Knani, an average-sized centre for deaf children has only two or three speech therapists who have to divide their working hours over several centres and specialised schools. When it comes to training staff members, it is the Ministry of Social Affairs that takes care of the initial teacher training; the centres then provide more specialised training. However, with the number of trainers decreasing, the number of potential trainees is reducing too. Specialised training was first offered in the late 1970s, when experts from France were brought in to train Tunisian teachers. Since then, however, the field has barely evolved in Tunisia, meaning that outdated practices are still being taught. In Mrs. Knani’s words, “today, we lack vision.”

This issue is directly linked to problems with funding. As noted above, centres used to receive around €400 per child per year in subsidies from the Ministry of Social Affairs. All centres we visited were clear that this was not enough to cover the costs. As the Ministry of Social Affairs decided in 2013 to take direct charge of the wages of all centre personnel, the subsidy that centres still receive per child has decreased significantly. It is no longer a fixed price; rather, the sum is decided at the Ministry’s discretion, based on how much it estimates each centre needs “for general management” (Ministry of Social Affairs). Although centres do indicate that this sum is negotiable, it is highly dependent on the Ministry’s budget, which is simply not very high when it comes to the issue of persons with disabilities. It is no surprise, then, that centres are still severely under-funded even since the change that took place in 2013.

The lack of high quality training of staff working in specialised centres naturally also affects the results they produce. For most centres, the term ‘education’ should be used loosely; they organise activities, but have no structured curriculum. Questions about learning outcomes cannot be answered in any other way than that the aim is to either make the students autonomous or allow them to integrate into regular schools or the job market. However, these goals prove unrealistic without concrete indicators of how to reach them (Dorsaf Kouki). Students in pottery classes, sewing ateliers or pre-vocational trajectories
tend to repeat the same movements without making much progress; indeed, we have witnessed classes in which students’ only task for the morning was to cut paper in any shape they like, for as long as they like (Centre pour des handicaps mentaux). Without expertise and a targeted outcome, the advancements of these centres tend to stagnate.

Integration into mainstream education

Following the above challenges, it is not surprising that the rates of students integrating into mainstream education are very low. Percentages range between 1% and 10%, depending on the centre, of which even fewer actually obtain a high school diploma. The cut-off age for integration is 9 years old, which means that early intervention and development is crucial for children with disabilities. Yet those who succeed still face significant problems upon integration.

The mentality of all parties involved – administration, teachers, ‘normal’ students and students’ parents – is a much-quoted reason for difficulties when it comes to integration into mainstream schools. According to Dorsaf Kouki, the idea that children with disabilities “cannot be productive” prevails. Imed Abdeljaoued states that parents fear a disabled child in the class will divert attention away from their children; if a school allows up to 25 students in each group, the presence of one disabled child should lower that number to 20, which rarely happens. Both Centre El Imtiez and Centre El Walid often see integrated students return to the centre, either to re-do courses they could not follow at school or to deal with psychological problems after being the victim of bullying. The severity of the mentality problem is perhaps best summarised by statements made by Mongi Godhbane, advisor to the Minister of Education: “Only students with visual impairments are able to integrate into normal schools, because they know how to behave normally.” The repeated use of the word ‘normal’, especially in relation to behaviour, implies that students with disabilities are not even held at the same esteem as non-disabled children by the Ministry that is charged with overseeing the integration once disabled students leave their specialised education. Such an attitude as a starting point is not very promising for the implementation of policies to facilitate integration.
This is reflected in the (lack of) training for teachers working in the mainstream education system, provided by the Ministry of Education. The ideal “trilogy of integration” includes, according to Imed Abdeljaoued, a normal environment, specialisation, and support. Schools should make a disabled child feel as “normal” as possible, while providing a supportive environment, for which specialised staff is needed. This facility is lacking, due to the combination of mentality problems (which do not contribute positively to making the affected children feel “normal”) and a lack of specialisation. Teachers are simply not trained to support students who use braille, or to help students with a motor handicap in their writing. Jamila Knani goes so far as to say that unspecialised personnel are often purposely hired to keep salaries low, contributing negatively to integration.

Finally, mainstream schools are often not equipped in material terms to welcome disabled students. Especially post-revolution, businesses have been affected, among which are Tunisia’s only producer of braille books and tablets. As they are also not being imported, it has been “impossible to find new material” in the last few years (Dorsaf Kouki). Wheelchairs are also low in supply but high in demand, prompting initiatives by groups such as the American School of Tunis to exchange large amounts of recyclable bottle caps for a wheelchair.

In short, although children with light mental disabilities are allowed in mainstream schools if deemed fit, schools aren’t equipped to welcome them. The teachers aren’t trained; the buildings aren’t prepared. As a result, Centre El Walid finds that a lot of parents prefer to keep their disabled child out of regular schools even if they have the potential to do well intellectually, meaning the child is stuck in specialised education that is below their mental capacity.

Integration into the job market

In terms of employment, the encouragement of companies to adhere to the quota of hiring one percent disabled employees is promising. As an incentive, the Tunisian government allows the wages of disabled employees to be paid out of tax money. In practice, however, the quota is rarely enforced and all centres agreed that socio-economic
integration of persons with disabilities is their biggest challenge. This can be attributed in part to the fact that the quota only applies to small- and medium-sized businesses of at least 100 employees. More significant, however, is the role of the public sector.

The quota applies to both private and public sector SMBs, yet until 2012 the public sector had never hired a disabled person – and had therefore never taken a leading role in setting the example for others. For the first time in 2013, the public sector hired 350 disabled persons, thereby meeting the quota. Unfortunately, associations were asked to adapt to the demand of the public sector rather than vice versa. The state did not ask what students in the centres had to offer or what the centres’ needs were, but asked for positions that could not possibly be filled by people trained in the specialised centres. The demand was therefore barely met, and mostly by people with visual impairments, as their integration always proves easiest (according to both Jamila Knani and Hamida Ben Salah).

In addition, the state does not have mechanisms to enforce adherence to the quota or, more importantly, fair treatment of persons with disabilities in the case of adherence. An official from the Ministry of Social Affairs admitted that persons with disabilities often get paid considerably less than their colleagues for carrying out the same work, yet there are no inspections or attempts to level the wages, while these companies do benefit from the incentives offered in return for hiring disabled personnel.

The low rate of integration into the job market is perhaps also a reflection of the relatively poor quality of education offered in specialised centres. In Centre El Walid, for example, students can take exams after three years of ateliers, which earns them a diploma that is unfortunately not recognised by the state. The difficulties of obtaining jobs for persons with disabilities are especially problematic as they can only stay under the care of specialised centres until the age of 30.

**Accessibility**

As noted above, Tunisian legislation obliges contractors to take motor handicaps into account in the construction of public buildings, but this is not enforced. One of Tunis’ most
well-known public buildings, the Municipal Theatre, is only accessible through stairs, and lacks bathrooms for people with disabilities (Jamila Knani). Zoubeïr Mouhli of the Association de la Sauvegarde de la Médina (ASM) admits that new construction norms are being taken into account increasingly but are not given priority, stating that “the norms are negotiable.” For example, he says he would not consider having doors open to the inside in any of the buildings his association reconstructs even if it would make it more accessible to wheelchair-users, as his job is to restore historical buildings and “that is simply not how they used to be, I can’t change that.” Schools are also rarely accessible, adding to the difficulties of successful integration. The American School of Tunis is an exception, but accessible classrooms here were built by the students and teachers themselves over a period of two years. The Ministry of Social Affairs did not fund the project due to budget restraints, and teachers who contributed to the construction during holidays were not paid. Ironically, the most telling example of an inaccessible public building has to be the Ministry of Social Affairs itself, which has no special entrances, lifts or bathrooms for people with a motor or sensory handicap.

Adequate signage is also lacking in many places, so that even if there are special wheelchair lanes in stores, these may not be clearly indicated and risk not being used for their purpose.

*The parents’ mentality*

Interestingly, many centres cite the mentality of parents with disabled children as a major obstacle to their work. “If there is a need to sensitise society, this should start with a focus on the parents”, says an employee of the Therapeutic Farm. This is especially true for rural areas, where parents are less likely to have enjoyed higher education. There seems to be a taboo on having a disabled child, which is reflected in several ways.

In the most extreme cases, mostly in rural areas, children with disabilities are neglected altogether. Students of the American School of Tunis set up several charitable
projects for children with disabilities after visiting Mghira, on the countryside, and seeing parents tying their disabled children to furniture while they go to work. Other families choose to leave their disabled child at home when travelling.

Although these extreme practices are not to be generalised, we do recognise a pattern in behaviour when it comes to parents of disabled children in Tunisia. According to the director of Centre El Walid, there are three predominant types of parents: those who wish to hide the disability of their child, those who deny it, and those who become overly protective. In all three cases, the chances of the child being sent to specialised centres from a young age are small. As Dorsaf Kouki points out, this affects the mentality of the child itself: the disability may worsen because of a lack of care as the brain becomes “lethargic”. An early intervention policy by placing the children in the most stimulating possible environment is therefore crucial and this is directly tied to the attitude and decisions of the parents. At the other end of the spectrum, these three attitudes may also lead to parents allowing children to do as they please, “because they can’t do much else” (Centre El Walid). This, too, is seen as a mistake by specialists, as the children would benefit more from the discipline which is provided in specialised centres.

Driven by a desire to feel like their child is “normal”, Centre El Walid often deals with parents who wish to integrate their children into mainstream schools even if the centre does not agree that this would be the best option. In these cases, the centre has no choice but to respect the decision of the parents and aid in making the transition as successful as possible. This rarely yields the desired results.

*The perception of the wider public*

The parents’ mentality implies that there is a problem with the perception of the wider public of disabilities, to which the parents’ attitudes are a reaction. While some do believe that “among the more underprivileged members of society, there is a non-humanist sentiment that disabilities are a form of natural selection” (Hamida Ben Salah), others don’t see a problem of stigmatisation at all, claiming that especially those with a “normal mental capacity” despite their handicap are treated normally by society (director of El Imtiez). We think both these statements are the exception rather than the rule in Tunisian society, but
that generally disabilities are not viewed negatively *per se*. Rather, society is characterised by a serious lack of knowledge and understanding of disabilities, which in turn is reflected in its prioritisation of the issue.

This becomes clear in the street interviews we conducted. One woman admits that “disabled people are not talked about much in society”, while another woman adds that she thinks there is no need to talk about disabled people as “there aren’t many”. Almost all participants answer in a similar manner: they do not see disabilities as a taboo, but the topic is not given much importance either.

What contributes to this? According to Hamida Ben Salah, it goes back to the image crafted of disabled people by the media and government propaganda for decades before the revolution. They were given very little attention, but when issues concerning their rights were covered, it was usually in a positive light—giving rise to the idea that there is no urgent need to talk about it.

This means that the media also plays a key role in sensitising society. Realistic, truthful media coverage of the situations of disabled people in the direst situations only started after the revolution. A documentary about an isolated and forgotten family with four disabled children in north eastern Tunisia gained particular attention. Established journalist Hamida Ben Salah says that although “I know my country well, I never imagined there were people who lived like this.” After the documentary was aired, help in the form of medication, materials and money poured down on the family. According to Dorsaf Kouki, this shows that people simply lack awareness; “the media could start a revolution for the disabled if they want to.”

**Conclusion**

The question that logically follows from the previous statement is whether the media is interested in starting such a “revolution.” In other words, does the media assume responsibility for opening debate on the rights of persons with disabilities? Or is this the task of the government, or rather of civil society? When asked in street interviews, people
gave diverging answers, which can roughly be divided in three categories. Some argue that the responsibility of promoting and applying the rights of persons with disabilities lies in the political domain. Others argue that “politics has nothing to do with it” and that civil society should expand its activities, while the remaining proportion of people believes that there should be a dual solution, in which the state and civil society both assume responsibility.

Based on the findings discussed above, we are inclined to agree with the latter group. As we have seen, there is a lot that needs improvement in the work of associations and specialised centres. Priority should be given to the quality of specialised education, as this has ramifications for both the success rate of integration into mainstream education and socio-economic integration into the job market. However, civil society cannot be expected to do this alone. For one, it would need more funding, training, general support and enforcement of laws by the Ministry of Social Affairs. It is undeniable that good, relatively thorough legislation is in place in Tunisia, but this does not necessarily translate into concrete changes. The state should build on the legal foundation by setting an example itself, directing realistic amounts of funding to associations it has charged with specialised education, and establishing adequate control mechanisms for the enforcement of laws. Furthermore, we cannot assume that civil society can give meaning to the legal texts in place if the population is not well informed on the situation of persons with disabilities. As indicated by the vast majority of the people we spoke with in Tunisia, there is a need for society as a whole to be sensitised. We believe that the media should play a key role in this through increased and truthful coverage of issues related to persons with disabilities. The roles of civil society, the government and the media are interconnected and affect each other. In order to make a lasting impact on the lives of persons with disabilities, it is imperative that all three actors are held accountable for making this issue a priority and that they take concrete action to bridge the gap between legislation and reality.
Policy Recommendations

- The rights of persons with disabilities should be prioritised within the Ministry of Social Affairs, which should be reflected in their budget.

- With the help of experts in the field, the Ministry of Education should update and prioritise the teacher-training system by providing a basic level of specialised instruction for all teachers in mainstream schools.

- Public buildings must be modified to allow full accessibility for individuals with limited mobility, as well as those with sensory impairments.

- The educational system should be reformed to facilitate integration of disabled students into mainstream schools, which must be provided with the necessary learning materials and staffed with specialists. Furthermore, interactions between the two educational systems should be encouraged to allow for a better mutual understanding between students of either system.

- The government, and specifically the Ministry of Social Affairs, must set an example to the wider population by implementing the legislation they pass. They must make their own building accessible to disabled persons and follow the quota for hiring disabled personnel.

- More government funding should be directed to centres outside the capital to allow such services to reach a broader population. Additionally, government funding for transportation to schools must be increased to ensure that all children are able to attend.

- Vocational diplomas should be standardized and recognized by the state to facilitate entry into the workforce.

- Existing laws outlining rights and regulations concerning disabled persons must be expanded upon and enforced.